



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT
(PCT Article 36 and Rule 70)

Applicant's or agent's file reference UVZ/315/PCT		FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/CZ 03/00035	International filing date (day/month/year) 25.06.2003	Priority date (day/month/year) 25.07.2002	
International Patent Classification (IPC) or both national classification and IPC E04H4/16			
Applicant STERBA, Miroslav et al.			
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of sheets.</p>			
<p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the opinion</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p>			
Date of submission of the demand 13.12.2003		Date of completion of this report 14.07.2004	
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465		Authorized Officer Stefanescu, R Telephone No. +49 89 2399-2475 	

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

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I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-6 as originally filed

Claims, Numbers

1-7 as originally filed

Drawings, Sheets

1/3-3/3 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
☐ the language of publication of the international application (under Rule 48.3(b)).
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority in written form.
☐ furnished subsequently to this Authority in computer readable form.
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:
☐ the drawings, sheets:

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-7
	No: Claims	
Inventive step (IS)	Yes: Claims	1-7
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-7
	No: Claims	

2. Citations and explanations

see separate sheet

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Re Item V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. The following document is referred to in this report; the numbering will be adhered to in the rest of the procedure:

D1: US-A-5 799 351 (FRENTZEL HERMAN E ET AL) 1 September 1998 (1998-09-01)

2. Document **D1**, which is considered to represent the most relevant state of the art, discloses (see **D1**, column 4, line 53 to column 8, line 59 and fig.1-9) also a vacuum cleaner for pools which comprises the features of the preamble (line 1 to 8) of the independent claim 1.
The difference from the vacuum cleaner described in **D1** consists in that:
the main bristles (34) are secured to a main-bristle ring (34a) which is removably secured to housing (22) along lower edge (32) while the secondary-bristle groups ((38),(40)) are secured to the downwardly-facing middle-surface (22a) of housing (22) - see **D1**, especially, column 6, line 22 to line 66 and fig. 6-9.

Consequently, **the subject matter of claim 1 is new (Art.33(2) PCT).**

3. The **problem** to be solved by the present application is to find a way to

improve the cleaning performance of vacuum cleaner

The **solutions** as proposed by the claim 1 (line 8 to 9) provides that, **the rotor (4) is connected with at least one brush (6)**. Such a construction permits the maintaining of an optimal speed with which the brush (6) is moved along the surface being cleaned, hence improving the cleaning performance of the vacuum cleaner.

Consequently, **the subject matter of claim 1 is inventive (Art.33(3) PCT).**

4. Inasmuch as claims 2-7 depend on claim 1, their subject-matter is also **novel and inventive**.

Remarks:

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- a) To meet the requirements of Rule 6.3(b) PCT, the independent claim **1** should have been properly cast in the **two part form**, with those features which in combination are part of the prior art being placed in the preamble (see document **D1**).
- b) To meet the requirements of Rule 5.1(a)(ii) PCT, document **D1** should have been identified in the description and the relevant background art disclosed therein should be briefly discussed.
- c) The **description** should have been brought into conformity with the claims (Rule 5.1(a)(iii) PCT).